

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

WILLIAM T. MOCK; *et al.*,

Plaintiffs,

v.

MERRICK GARLAND, in his official capacity as Attorney General of the United States; *et al.*,

Defendants.

Civil Action No. 4:23-cv-00095-O

DECLARATION OF WILLIAM T. MOCK

I, William T. Mock, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following statements are true and correct to the best of my knowledge:

1. I am over 18 years of age and am competent to testify to the matters contained herein.
2. I am a U.S. Citizen who resides in Weatherford, Texas within Parker County.
3. I am a member of Firearms Policy Coalition, Inc.
4. I am not prohibited from possessing firearms under federal or state law. I have purchased at least one firearm through a Federal Firearms Licensee (“FFL”), undergoing and passing the required federal background check.
5. I worked as a professional gunsmith for 14 years, from 2008 through 2022. I was also previously an NRA certified instructor, although I have voluntarily let that certification lapse. I currently hold a Texas License to Carry Permit, which I have held since the day I turned 21.
6. I currently possess at least one braced pistol that will newly be treated as a short-barreled rifle under the Agencies’ Final Rule—a AR-style pistol with an SB Tactical SBA3 brace

and an 11.3" barrel—which I assembled without need to undergo the NFA's heightened requirements, including an ATF Form 1. I use this firearm for lawful purposes, including but not limited to general self-defense, self-defense in the home, and target shooting.

7. I wish and have plans to continue to purchase braced pistols in the future to own and use for lawful purposes, such as general self-defense, self-defense in my home and target shooting. I have specific plans to purchase at least one additional braced pistol within the next three to four months, so long as such purchase would not subject me to any civil or criminal fines or penalties and could be purchased without submitting to the heightened requirements of the NFA, including but not limited to an ATF Form 1 or 4, the cost of acquiring and providing passport photos (about \$17) and fingerprints (about \$50) per item, the additional disclosure of personal information, the inclusion of my constitutionally protected firearm on a national registry, the delays imposed by the ATF and other federal agencies in administering the NFA, and more. The NFA process the Final Rule seeks to require for braced pistols imposes additional and heightened compliance requirements over top of that normally required for pistols under the GCA, requires me to incur additional costs (including the costs and time associated with acquiring passport photographs and fingerprinting for each registered item), exposes me to greater criminal liability for even an accidental violation, requires me to pass an additional background check for constitutionally protected property that I already own and have already passed a background check to purchase, and more. I have also traveled out of state with my braced pistol, and have plans to do so again, but for the effect of the Final Rule.

8. I do not wish to register my current firearm as an NFA item for the same reasons, with the understanding that the Agencies have waived the \$200 fee requirement for 120 days.

9. I wish to continue to own and purchase braced pistols because they are an efficient and effective tool for self- and home-defense, due to their configuration, size, and weight. I also believe that I have the individual right to buy and possess braced pistols, absent the NFA process.

10. The Final Rule at issue in this case will prohibit me from engaging in an activity that I have already engaged in and wish to, have the right to, and have concrete plans to continue to engage in and thus will detrimentally impact me. The Final Rule at issue also fundamentally alters the legal landscape that I have relied on to conduct and plan my personal practices. Lastly, the Final Rule prohibits me from exercising my Second Amendment protected rights, by prohibiting me from possessing my braced pistol in my home for self-defense, or at minimum, chills the exercise of my rights by insufficiently establishing what pistols I may possess when considered in constructive possession with other items the ATF may classify as a stock or other item capable of converting my pistol into a rifle.

11. Moreover, due to the vague nature of the Final Rule, I cannot know exactly how to comply with the Final Rule by the current effective date, including whether I could remove the brace on my pistol, but keep possession of both, and remain in compliance with the Agencies' new regulations; whether my pistol would still be classified as a "short-barreled rifle" because of the Agencies' new regulations even absent the brace; or what attachments I can or cannot have on my pistol before it becomes classified as a "short-barreled rifle" under the Agencies' new regulations.

DATED this the 10 th day of February, 2023.

William T Mock

William T. Mock